IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : MARTIN, et al.

U.S. Serial No.: Not Yet Known, corresponding to International Application No. PCT/US03/18716, filed June 13, 2003, which claims priority of U.S. Serial No. 10/172,346, filed June 13, 2002

Filed : Herewith

For : IN-VIVO ENERGY DEPLETING STRATEGIES FOR KILLING DRUG-RESISTANT CANCER CELLS

Law Offices of Albert Wai-Kit Chan, LLC
World Plaza, Suite 604
141-07 20th Avenue
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December 10, 2004

Mail-Stop Patent Application
Commissioner for Patents
P.O. Box 1450
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Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with their duty of disclosure under 37 C.F.R. §1.56, Applicants would like to direct the Examiner's attention to the following references which are listed below and on Forms PTO/SB/08A and PTO/SB/08B, which are attached hereto as **Exhibit A and Exhibits 1-9**.

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6. Lemaire, et al. Inhibition of caspase activity induces a switch from apoptosis to necrosis. FEBS Lett. 425:266-270 (1998)

7. Martin, D.S., et al. ATP depletion + pyrimidine depletion can markedly enhance cancer therapy: fresh insight for a new approach. Canc. Res. 60:6776-6783 (2000)

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15. PCT International Search Report for Sloan-Kettering Institute for Cancer Research, et al., Int'l App'l No. PCT/US01/46886, Filed on December 4, 2001, Dated May 22, 2002

16. PCT Written Opinion for Sloan-Kettering Institute for Cancer Research, et al., Int'l App'l No. PCT/US01/46886, Filed on December 4, 2001, Dated April 17, 2003

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18. PCT Notification of Transmittal of the International Search Report for Sloan-Kettering Institute for Cancer Research Application No. PCT/US03/18716, Filed on June 13, 2003, Dated November 25, 2003.

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49. Jurkowitz, et al., Adenosine, Inosine, and Guanosine Protect Glial Cells During Glucose Deprivation and Mitochondrial Inhibition: Correlation Between Protection and ATP Preservation. *Journal of Neurochemistry*, 1998, 71(2):535-548. **[Exhibit 1]**

50. Lieberthal, et al., Graded ATP depletion can cause necrosis or apoptosis of cultured mouse proximal tubular cells. *American Physiological Society;* 1998, F315-F327. **[Exhibit 2]**

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56. PCT International Search Report for Sloan-Kettering Institute for Cancer Research, et al., Int'l App'l No. PCT/US03/18716, Filed on June 13, 2003, Dated November 25, 2003. **[Exhibit 8]**

57. WO 93/23014 A1 (Martin et al.) Chemotherapeutic Drug Combinations, Published 25 November 1993 **[Exhibit 9]**

REMARKS

References 1-14 of the above-identified fifty-seven (57) references were submitted as Information Disclosure Statement to the United States Patent and Trademark Office on December 9, 2002 for U.S. Serial No. 10/172,346, filed June 13, 2002. References 15-16 of the above-identified fifty-seven (57) references were submitted as Supplemental Information Disclosure Statement to the United States Patent and Trademark Office on September 4, 2003 for U.S. Serial No. 10/172,346, filed June 13, 2002. Reference 17 of the above-identified fifty-seven (57) references was submitted as Supplemental Information Disclosure Statement to the United States Patent and Trademark Office on September 19, 2003 for U.S. Serial No. 10/172,346, filed June 13, 2002. Reference 18 of the above-identified fifty-seven (57) references was submitted as Supplemental Information Disclosure Statement to the United States Patent and Trademark Office on December 12, 2003 for U.S. Serial No. 10/172,346, filed June 13, 2002. Also, References 19-48 of the above-identified fifty-seven (57) references were submitted as Supplemental Information Disclosure Statement to the United States Patent and Trademark Office on May 19, 2004 for U.S. Serial No. 10/172,346, filed June 13, 2002. Accordingly, Applicants will not provide these documents unless otherwise requested by the Examiner. References 49-57 of the above-identified fifty-seven (57) references are attached herewith.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

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Application Number	Not Yet Known
Filing Date	Herewith
First Named Inventor	Daniel S. MARTIN
Art Unit	Not Yet Known
Examiner Name	Not Yet Known
Attorney Docket Number	636-C-PCT-US

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	15	PCT/US01/46886	12-04-2001	Sloan-Kettering Institute for Cancer Research, et al.	PCT International Search Report	
	16	PCT/US01/46886	12-04-2001	Sloan-Kettering Institute for Cancer Research, et al.	PCT Written Opinion	
	17	PCT/US01/46886	12-04-2001	Sloan-Kettering Institute for Cancer Research, et al.	PCT International Preliminary Examination Report	
	18	PCT/US03/18716	06-13-2003	Sloan-Kettering Institute for Cancer Research, et al.	PCT Notification of Transmittal of the International Search Report	
	56	PCT/US03/18716	06-13-2003	Sloan-Kettering Institute for Cancer Research, et al.	PCT International Search Report	
	57	WO 93/23014 A1	11-25-2003	Sloan-Kettering Institute for Cancer Research, et al.	PCT Published Application	

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	1	Herceg Z. & Z.-Q. Wang. Failure of poly(ADP-ribose) polymerase cleavage by caspases leads to induction of necrosis and enhanced apoptosis. Mol. Cell Biol. 19:5124-5133 (1999)	
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This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, Washington, DC 20231.**

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	25	Koutcher, J.A., Alfieri, A.A., Tsai, J.C., Matei, C., Stolfi, R.L., Ballon, D., Martin, D.S., Evaluation of chemotherapy and radiation enhancement and 31P NMR spectral changes induced by biochemical modulation. Cancer Invest., 1997, 15(2)111-120.	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 5 of 7

Complete if known	
Application Number	Not Yet Known
Filing Date	Herewith
First Named Inventor	Daniel S. MARTIN
Art Unit	Not Yet Known
Examiner Name	Not Yet Known
Attorney Docket Number	636-C-PCT-US

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Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
	35	Martin, D.S., Stolfi, R.L., Sawyer, R.C., Spiegelman, S. Casper, E.S. and Young, C.W. Therapeutic utility of utilizing low doses of N-{phosphonacetyl)L-aspartic acid in combination with 5-fluouroucil; a murine study with clinical relevance. Cancer Res. 43:2317-2321, 1983.	
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Sheet 6 of 7

	Complete if known
Application Number	DT05 Rec'd PCT/PTO 10 DEC 2004 Not Yet Known
Filing Date	Herewith
First Named Inventor	Daniel S. MARTIN
Art Unit	Not Yet Known
Examiner Name	Not Yet Known
Attorney Docket Number	636-C-PCT-US

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	45	O'Dwyer, P.J., Judes, G.R., Colofiore, J., Walczak, J., Hoffman, J., LaCreta F.P., Comis, R.L., Martin, D.S., Ozols, R.F., Phase I trial of flururacil modulation by of N-phosphonacetyl-L-aspartate and 6-methylmercaptopurine riboside: optimization of 6-methylmercaptopurine riboside dose and schedule through biochemical analysis of sequential tumor biopsy specimens. J. Natl. Cancer Inst.; 1991, 83(17):1235-1240.	
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Sheet 7 of 7

Complete[redacted]nown	
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	55	Yager, et al., Correlation between Content of High-Energy Phosphates and Phypoxic-Ischemic Damage in Immature and Mature Astrocytes. Elsevier Science Publishers, Amsterdam; 1994, 82(1-2):62-68.	

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